George Thomas Montgomery (CONS/PE)

Case No. 0046536

O'Malley, David T. (for Ann Perkins – Sister – Conservator – Petitioner)

(1) Fourteenth Account and Report of Conservator and

(2) Request for Attorney's Fees

	e: 63	
DO	B: 11-23-49	
	Aff.Sub.Wit.	
>	Verified	
	Inventory	
	PTC	
	Not.Cred.	
~	Notice of	
	Hrg	
>	Aff.Mail	w/o
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf.	
	Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video	
	Receipt	
~	CI Report	
	9202	
~	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

Atty

ANN PERKINS, Sister and Conservator, is Petitioner.

Bond is \$50,000.00 (sufficient)

Account period: 1-1-10 through 9-30-

12

Accounting: \$34,769.00
Beginning POH: \$15,732.00
Ending POH: \$12,524.00
(non-cash mutual funds)

Conservator: Waived

Attorney: \$885.00 (per declaration)

Petitioner states the conservatorship meets the requirements to dispense with accountings.

Petitioner prays for an Order:

- That the 14th Account and Report be settled, allowed and in all respects confirmed;
- 2. That the Court make an order allowing the sum of \$885 for services rendered by Attorney O'Malley; and
- Dispensing with future accounts for all future accounting periods during which the requirements are met.

NEEDS/PROBLEMS/COMMENTS:

1. Petitioner requests the Court dispense with accountings pursuant to Probate Code §2628. The Court may require further information with reference to the investment of the Conservatorship estate in mutual funds rather than cash accounts. Examiner notes that losses exceeded gains during this account period.

Reviewed by: skc

Reviewed on: 11-30-12

Updates:
Recommendation:
File 1 - Montgomery

1

Atty Atty Howk, Robert (for Craig MacGlashan – Conservator)
Wright, Janet L. (Court Appointed for Conservatee)

Petition for Attorney's Fees for Court Appointed Counsel for Conservatee [Prob. C. 1470(b)]

Λ ~	Age: 90 JANET WRIGHT, Petitioner, was Court		IANET WDICHT Detitioner was Court	NEEDS/PROBLEMS/COMMENTS:
Age. 70			JANET WRIGHT, Petitioner, was Court	NEEDS/PROBLEMS/COMMENTS:
			appointed to represent the	
			Conservatee on 04/09/10.	
			Craig MacGlashan, son, was	
Со	nt. from		appointed Conservator of the Person	
	Aff.Sub.Wit.		and Estate on 05/24/10.	
✓	Verified		Petitioner requests fees in connection	
	Inventory		with representation of the Conservatee	
	PTC		for legal services in regard to review	
	Not.Cred.		and response of the Conservator's	
✓	Notice of		accounting and fee application of	
	Hrg		Conservator's attorneys.	
✓	Aff.Mail	w/	,	
	Aff.Pub.		Petitioner asks that she be paid from	
	Sp.Ntc.		the Conservatorship estate for 27.10	
	Pers.Serv.		hours ranging from \$325.00/hr. to	
	Conf.		\$120.00/hr. for a total of \$6,299.00 plus	
	Screen		costs in the amount of \$435.00.	
	Letters		Services are itemized by date and	
	Duties/Supp		include general conservatorship	
	Objections		matters, review of documentation	
	Video		regarding the accounting, preparation	
	Receipt		of this fee application, meeting with	
	CI Report		conservator's counsel, and court	
	9202		appearances.	
✓	Order			
	Aff. Posting			Reviewed by: JF
	Status Rpt			Reviewed on: 11/30/12
	UCCJEA			Updates:
	Citation			Recommendation:
	FTB Notice			File 2 - McGlashan

Atty Atty Dias, Michael A. (for Warren Leslie Davis – Son – Petitioner)

Farley, Michael L. (of Visalia, for Mary M. Davis – Surviving Spouse – Executor)

Second Amended Petition for: (1) Removal of Mary M. Davis as Executor of the Estate; (2) Compelling Account and Report of Administration of Estate; (3) Appointment of Lynette Lucille Duston and Warren Leslie Davis as Successor Co-Executors of Estate.

[Probate Code §§8420, 8421, 8500, 8501, 8502, 8800, 8804, 10950, 12200, 12204, and 12205]

	[Flobale Code 990420, 6421, 6500, 6501, 6502,	8000, 8004, 10730, 12200, 12204, and 12203
Age:		NEEDS/PROBLEMS/COMMENTS:
DOD:		
		Demurrer filed 11-28-12 is set for hearing on 1-22-13.
		neding on 1-22-13.
Cont. from		Therefore, this matter will be
Aff.Sub.Wit.		continued to 1-22-13.
Verified		
Inventory		Examiner notes will not be prepared
PTC		for this 12-6-12 hearing date.
Not.Cred.		Note to Judge: Research Attorney
Notice of		has the file for review of the
Hrg		Demurrer.
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf.		
Screen		
Letters		
Duties/Supp		
Objections		
Video		
Receipt		
CI Report		
9202		
Order		
Aff. Posting		Reviewed by: skc
Status Rpt		Reviewed on: 11-30-12
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 3A - Davis

3A

3B Fred Erwin Davis (Estate)

Case No. 10CEPR00810

Atty Dias, Michael A.
Atty Farley, Michael L.

First Report of Status of Administration of Estate and Request for Extension

1_	That Report of States of Administration of	
Age:		NEEDS/PROBLEMS/COMMENTS:
DOD:		
		CONTINUED TO 1-22-13 pursuant to
		Stipulation filed 12-4-12 and order
Cont. from		<u>thereon</u>
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of		
Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf.		
Screen		
Letters		
Duties/Supp		
Objections		
Video		
Receipt		
CI Report		
9202		
Order		
Aff. Posting		Reviewed by:
Status Rpt		Reviewed on:
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 3B - Davis

Lucy M. Bosniak (CONS/PE)

Kruthers, Heather (for Public Guardian – Conservator – Petitioner)

(1) First and Final Account and (2) Report of Conservator, (3) Petition for Allowance of Compensation to Conservator and Her Attorney (Prob. C. 1860, 2620, 2623, 2630, 2942)

DO	D: 8-31-12	PUBLIC GUARDIAN, Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Final Account Period: 2-17-12 through 8-31-12 (DOD)	
	Aff.Sub.Wit.	Accounting: \$ 39,433.68 Beginning POH: N/A Ending POH: \$ 3,495.45	
~ ~	Verified Inventory PTC Not.Cred. Notice of Hrg Aff.Mail Aff.Pub. Sp.Ntc. Pers.Serv. Conf. Screen Letters	Subsequent Account Period: 9-1-12 through 10-1-12 Accounting: \$ 5,165.25 Beginning POH: \$ 3,495.45 Ending POH: \$ 364.25 (cash) Conservator: \$5,083.76 (43.06 Deputy hours @ \$96/hr and 12.5 Staff hours @ 76/hr) Attorney: \$1,875.00 (12.5 hours @ \$150/hr) Bond fee: \$25.00 (minimum – ok) Public Guardian was appointed Temporary	
~	Duties/Supp Objections Video Receipt CI Report 9202 Order Aff. Posting Status Rpt UCCJEA Citation FTB Notice	Conservator on 2-9-12 and general Conservator on 6-5-12. No I&A was filed because the Conservatee died within one month of the establishment of the general conservatorship. Petitioner states the Conservatee died intestate survived by two children: Andrew Bosniak and Audrey Medina. The only asset of the estate in Petitioner's possession is cash of \$364.25 and after only partial payment of the authorized fees and commissions there will be no assets remaining to distribute to the heirs. Although it was not marshaled before her death, the Conservatee died owning real property, which is the address for Andrew Bosniak.	Reviewed by: skc Reviewed on: 11-30-12 Updates: Recommendation: File 4 - Bosniak
		Petitioner requests that due to the insufficiency of the estate to pay the fees and commissions, a lien be imposed against the estate, including the real property, for any unpaid balance of the authorized fees and commissions. Petitioner prays for an Order: 1. Finding that the conservatorship of the person and estate terminated on 8-31-12, the conservatee's date of death; 2. Approving, allowing and settling the account; 3. Authorizing the conservator's and attorney's fees and commissions; 4. Authorizing payment of the bond fee; and 5. Imposing a lien against the estate for any unpaid balance of the authorized fees and commissions.	

Knapp, Bonnie J. (of Glendale, CA for Eric Schloen – Special Administrator/Petitioner)

Petition for Termination of Further Proceedings and Discharge of the Personal Representative [Prob. C. 12251, Gov. C. 70657(a)(1)]

DO	D: 01/20/12		ERIC SCHLOEN, Petitioner, was	NEEDS/PROBLEMS/COMMENTS:
			appointed Special Administrator	·
			without Bond on 06/07/12. Letters	
			will expire on 01/04/13.	
Со	nt. from		****** CAPITO CIT 0170 17 10.	
	Aff.Sub.Wit.		Petitioner was appointed Special	
✓	Verified		Administrator for the limited purpose	
	Inventory		of obtaining Medi-Cal benefits for	
	PTC		the decedent to settle medical bills	
	Not.Cred.		incurred by decedent prior to her	
✓	Notice of		death. Petitioner is an agent of the	
	Hrg		hospital where decedent died.	
✓	Aff.Mail	w/		
	Aff.Pub.		I & A - waived per Order	
	Sp.Ntc.		appointing Special Administrator	
	Pers.Serv.			
	Conf.		Petitioner states he performed all	
	Screen		duties necessary as Special	
	Letters		Administrator as he obtained health	
	Duties/Supp		benefits for the decedent, the	
	Objections		estate has no assets and there is no	
	Video		longer a need for a Special	
	Receipt		Administrator.	
	CI Report			
	9202		Petitioner prays for an Order:	
<u> </u>	Order		 Terminating the administration 	
	Aff. Posting		of the estate and discharging	Reviewed by: JF
	Status Rpt		the Special Administrator.	Reviewed on: 11/30/12
	UCCJEA		'	Updates:
	Citation			Recommendation:
	FTB Notice			File 5 - Brooks

Margarito Gonzalez (Spousal)

Case No. 12CEPR00747

Shepard, Jefferson S. (for Maria Gonzalez – Surviving Spouse – Petitioner) Atty Atty

Roberts, Gregory J. (for Annette Costa – Daughter – Objector)

Spousal Property Petition (Prob. C. 13650)

DC	D: 6-25-11	MARIA GONZALEZ, Surviving Spouse,	NEEDS/PROBLEMS/COMMENTS:
		is Petitioner.	Continued from 10-4-12, 11-8-12.
		N. a. dela anno anno alle anno	Confinued from 10-4-12, 11-6-12.
		No other proceedings.	As of 11-30-12, nothing further has been
Со	nt. from 100412,	Will dated 4-1-11 devises decedent's	filed.
110	0812	real property in Selma to Petitioner.	
	Aff.Sub.Wit. X		
~	Verified	Petitioner requests Court	
	Inventory	confirmation that decedent's real	
	PTC	property in Selma passes to her.	
	Not.Cred.	ANNETTE COSTA, Daughter, filed an	
~	Notice of	Objection on 10-3-12.	
	Hrg		
~	Aff.Mail W	Objector states the property that is	
	Aff.Pub.	the subject of the petition was the	
	Sp.Ntc.	separate property of Decedent. Objector objects to the will and	
	Pers.Serv.	claims that the will is not valid in that	
	Conf.	Objector does not believe Decedent	
	Screen	executed the will or that if Decedent	
	Letters	did execute the will that he did not	
	Duties/Supp	have capacity to do so, or did so	
~	Objections	under undue influence.	
	Video	Objector states Decedent was	
	Receipt	married to the petitioner only a short	
	CI Report	time prior to his death. The property is	
	9202	the separate property of Decedent	
~	Order	and should be distributed to	
	Aff. Posting	Petitioner and Decedent's children.	Reviewed by: skc
	Status Rpt	Decedent was sick and heavily medicated at the time the alleged	Reviewed on: 11-30-12
	UCCJEA	will was executed. Decedent would	Updates:
	Citation	not have disinherited his children.	Recommendation:
	FTB Notice	Decedent did not have	File 6 – Gonzalez
		testamentary capacity at the time	
		the alleged will was executed.	
		Objector prays that the petition be	
		dismissed without prejudice.	
		aisiilissea wiillooi piejouice.	

Sanoian, Joanne (for Robert B. Jones – Petitioner)

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DO	D: 9-18-12		ROBERT B. JONES, named Executor	NEEDS/PROBLEMS/COMMENTS:
			without bond, is Petitioner.	1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1
				Note: Petitioner is the Decedent's
			Full IAEA: ok	nephew and is also Trustee of Trust A-
				Survivor's Trust established u/d/t
		ı	Will dated 9-23-11	dated 9-5-04 known as the Virgil A.
	Aff.Sub.Wit.			Lininger and Katherine E. Lininger
~	Verified		Residence: Fresno	Revocable Trust.
	Inventory		Publication: Fresno Business Journal	Delate d Conserv
	PTC		Estimated Value of Estate:	Related Cases: 11CEPR00360 Conservatorship
	Not.Cred.		Personal property: \$34,000.00	11CEPR00828 Trust
_	Notice of		1 01301101 Property, 404,000.00	110L1 100020 11031
	Hrg		Probate Referee: Steven Diebert	
~	Aff.Mail	W		
~	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf.			
	Screen			
~	Letters			
~	Duties/Supp			
	Objections			
	Video			
	Receipt			
	CI Report			
	9202			
~	Order			
	Aff. Posting			Reviewed by: skc
	Status Rpt			Reviewed on: 11-30-12
	UCCJEA			Updates:
	Citation			Recommendation:
	FTB Notice			File 7 - Lininger

Estefanian, Ani (Pro Per – Petitioner-Child of Decedent)

Petition to Determine Succession to Real Property and Personal Property (Prob. C. 13151)

DOB: 08/01/2012			ANI ESTEFANIAN, child of decedent, is	NEEDS/PROBLEMS/COMMENTS:
505.00/01/2012			petitioner.	TTEEDS/TRODLEMS/COMMENTS.
-				
-			40 days since DOD	
	. 1 . 6			
Co	nt. from		No other proceedings	
	Aff.Sub.Wit.		10 A	
✓	Verified		I&A - \$129,824.00	
✓	Inventory		Will dated: 12/15/2008	
	PTC		Datition or requests Court	
	Not.Cred.		Petitioner requests Court determination that decedent's 100%	
	Notice of	n/a	interest in real property located at	
	Hrg		5376 N. Bond Fresno, Ca., the furniture	
	Aff.Mail		and furnishings located at the	
	Aff.Pub.		residence, the 2006 Nissan Sentra 4D,	
	Sp.Ntc.		the cash in the amount of \$500 found	
	Pers.Serv.		in the decedent's home and the checking account located at Bank of	
	Conf.		the West pass to Ani Estefanian	
	Screen		pursuant to decedent's will.	
	Letters			
	Duties/Supp			
	Objections			
	Video			
	Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			Reviewed by: KT/LV
	Status Rpt			Reviewed on: 11/30/2012
	UCCJEA			Updates: 12/06/2012
	Citation			Recommendation: Submitted
	FTB Notice			File 8 - Estefanian

Vasquez, Gina (Pro Per – Petitioner – Maternal Grandmother)

Noah **TEMPORARY EXPIRES 12/06/2012 NEEDS/PROBLEMS/COMMENTS:** Age: 5 **GINA VASQUEZ**, Maternal Grandmother, is Annabella Petitioner. 1. Petitioner's request to waive Court Age: 3 fees was denied on 10-17-12. Filing Father: JOHN NATHAN DURAN fee of \$285 is now due. Cont. from Mother: JASMINE MARIE CABRAL, Personally Need proof of personal service Aff.Sub.Wit. served 10-25-12 fifteen (15) days prior to the hearing of the Notice of Hearing along with a Verified copy of the Petition for Appointment Paternal Grandfather: John Duran Inventory of Guardian or consent and waiver Paternal Grandmother: Cindy Carrillo **PTC** of notice or declaration of due Maternal Grandfather: Sergio Cabral, diliaence for: Not.Cred. Deceased • John Nathan Duran (Father) Notice of Hrg **Petitioner states** the children are at 3. Need proof of service fifteen (15) Aff.Mail Χ substantial risk of ongoing abuse and days prior to the hearing of the Aff.Pub. neglect due to substance abuse issues and Notice of Hearing along with a copy Sp.Ntc. domestic violence relationship the mother is of the Petition for Appointment of Guardian or consent and waiver of currently involved in with her boyfriend. The w/ Pers.Serv. children came to live with Petitioner in June notice or declaration of due Conf. 2011 and the mother's whereabouts were diliaence for: Screen unknown. The children appeared to fear John Duran (Paternal **Letters** returning to their mother and exhibited Grandfather) • Cindy Carrillo (Paternal behaviors indicative of emotional, physical, **Duties/Supp** and suspected sexual abuse. Petitioner Grandmother) states the mother assaulted Petitioner and **Objections** took Noah on 10-1-12. She was detained Video and the child was returned to Petitioner's Receipt care without a 300 hold. **CI Report** Petitioner requests the Court excuse her 9202 from giving notice to the parents because Order she fears the mother will pick up the Reviewed by: KT / LV Aff. Posting children. Petitioner states good cause exists **Reviewed on:** 11/30/2012 **Status Rpt** so that there is not a disruption in the **UCCJEA** children's care. **Updates: Recommendation:** Citation Court Investigator Jennifer Daniel's report File 9 - Duran FTB Notice filed 11/28/2012.

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Jacobo, Alicia (Pro Per – Petitioner – Maternal Aunt)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Rul	pen		NO TEMPORARY REQUESTED	NEEDS/PROBLEMS/COMMENTS:
Ag	e: 3			
Elijo	ah		ALICIA JACOBO, maternal aunt, is	OFF CALENDAR: Request for
Ag	e: 1		petitioner.	Dismissal entered on 12/03/2012.
			Father (of Elijah): MARTIN CONTRERAS	1. Need Notice of Hearing.
Со	nt. from		Father (of Ruben): RUEBEN M. MOLANO	
	Aff.Sub.Wit.		,	Need proof of personal service fifteen (15) days prior to the hearing of the
✓	Verified		Mother: ANAMARIE LOPEZ, Consents and Waives Notice	Notice of Hearing along with a copy of
	Inventory		Walves Notice	the Petition for Appointment of Guardian
	PTC		Paternal Grandfather (of Elijah): Elijah	or consent and waiver of notice or
	Not.Cred.		Lucio Contreras, Declaration of Due	declaration due diligence for: • Martin Contreras (father of Elijah)
	Notice of	Х	Diligence filed 10/16/2012	Rueben M. Molano (father of
	Hrg		Paternal Grandmother (of Elijah): Deceased	Ruben)
	Aff.Mail	Х	Deceased	
	Aff.Pub.		Paternal Grandparents (of Ruben):	3. Need proof of service fifteen (15) days
	Sp.Ntc.		Unknown	prior to the hearing of the Notice of Hearing along with a copy of the Petition
	Pers.Serv.	Χ		for Appointment of Guardian or consent
✓	Conf.		Maternal Grandfather: Roy A. Lopez	and waiver of notice or declaration of
	Screen		Maternal Grandmother: Ignacia Cumpian, Consents and Waives Notice	due diligence for:
✓	Letters		Complant, Corborns and Walves Wolled	Elijah Lucio Contreras Paternal Convention of Elijah Lucio Contreras Paternal
✓	Duties/Supp		Petitioner states: she is seeking	Grandfather (of Elijah) – Unless the Court Dispenses with Notice.
	Objections		guardianship because of her niece's alcohol and drug problem as well as the	Paternal Grandparents (of
	Video		safety of her nephews.	Ruben) Unknown
	Receipt		, 	Roy A. Lopez (Maternal Crandfather)
✓	CI Report		Court Investigator Jennifer Young's report	Grandfather)
	9202		filed 11/26/2012.	
✓	Order			
	Aff. Posting			Reviewed by: KT / LV
	Status Rpt			Reviewed on: 12/03/2012
✓	UCCJEA			Updates:
	Citation			Recommendation:
	FTB Notice			File 10 – Molano & Contreras

Pando, Patricia (pro per – daughter/Petitioner)

Petition for Appointment of Probate Conservator of the Person (Prob. C. 1820, 1821, 2680-2682)

	e: 74	NO TEMPORARY REQUESTED	NEEDS/PROBLEMS/COMMENTS:
Co	nt. from	PATRICIA PANDO, daughter, is Petitioner and requests appointment as Conservator of the Person with Medical Consent powers.	Court Investigator advised rights on 11/08/12. Voting rights affected, need minute order.
	Aff.Sub.Wit.		1. The Petition does not state the
✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓	Verified Inventory PTC Not.Cred. Notice of Hrg Aff.Mail × Aff.Pub. Sp.Ntc. Pers.Serv. × Conf. Screen Letters Duties/Supp Objections Video Receipt CI Report 9202 Order	Court Investigator Charlotte Bien filed a report on 11/15/12.	relationship to the proposed conservatee of each person listed in item 11. 2. Need Confidential Supplemental Information Form (Form GC-312). 3. Need Citation. 4. Need proof of personal service at least 15 days before the hearing of Citation with a copy of the Petition for Appointment of Conservator to the proposed conservatee. 5. Need proof of service by mail at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Conservator or Consent & Waiver of Notice or Declaration of Due Diligence for: Juan Carlos Banda Alfredo Delgado Joseph Delgado Clarissa Rodriguez Maria Alma Banda Juan Luis Banda Gladys Banda Alva Rodriguez Alejandro A. Banda Note: Proof of service filed 12/04/12 does not indicate whether a copy of the petition was mailed with the
			Notice of Hearing and the date of mailing (1/26/212) is unclear.
	Aff. Posting		Reviewed by: JF
	Status Rpt		Reviewed on: 11/30/12
	UCCJEA	_	Updates:
	Citation ×		Recommendation:
	FTB Notice		File 11 - Banda